

## **REMARKS**

Claims 1-13 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. Claim 2 has been amended to remove the redundant language and is now believed to be clear.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Pat. No. 6,975,995) in view of Hamilton (U.S. Pat. No. 7,020,635). This rejection is respectfully traversed.

According to the present invention, data reproducing equipment to be used by a user is registered in advance, and thus, in acquiring content reproducible with the registered data reproducing equipment, the user can acquire display information of content reproducible with the registered user's data reproducing equipment without having to check every type of data for reproducibility with the registered user's data reproducing equipment. As a result, the present invention permits non-wasteful, efficient acquisition of content.

To put the process in simple terms:

- user equipment registers with server;;
- server ascertains user equipment's media compatibility type(s);
- server searches (e.g. via internet) for content based on compatible type;
- server provides results to user equipment (e.g., results list of what is available, such as in the form of content displaying information);
- user equipment can then download content by selecting from the results list.

According to the disclosure of the cited Kim reference (USP No.6,975,995), the client selects in advance a musical instrument and music piece, and a server provides corresponding music content data to the client.

According to the disclosure of the cited Hamilton reference (USP No. 7,020,635), a session file corresponding to a user-selected musical instrument and music piece data (content) is transmitted to the user.

However, in each of the two cited references, music piece data (content) are sent to the user in accordance with registered musical instrument data, and user information is stored in a server. There is no pre-screening by the server to identify only content that is compatible with the user's equipment determined during a registration process.

By contrast, the present invention is intended to promote an efficient search. The invention does this by using the server to search only for content that is compatible with the registered user's data reproducing equipment. Thus when the user subsequently chooses content to download, he or she does not need to waste time downloading content that is not compatible with the user's equipment.

Therefore, it is respectfully submitted that the present invention is completely different from the inventions disclosed in the aforementioned cited references and hence patentable.

In order to more clearly distinguish the applicant's invention in this regard, the claims have been amended to more fully recite that the media compatibility type is ascertained as part of the registration step, and that this compatibility type is thereafter used during the searching step.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: Gregory A. Stobbs  
Gregory A. Stobbs  
Reg. No. 28,764

HARNES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600